

REMARKS

Responsive the preliminary lack of unity determination of the outstanding Official Action, Applicants provisionally elect group I, claims 1-24, drawn to a pharmaceutical spray suspension, with traverse.

The reasons for traverse follow:

In applying the same legal standard with similar claims and considering the same cited document (SHINOZAWA U.S. 4,450,151), the International Search Authority did not determine the unity of invention as lacking. Thus, the Patent Office has the benefit of the search report, but fails to explain why a different legal conclusion was reached.

Moreover, a search for the subject matter of all pending claims would not be a burden on the Examiner. The inventions are sufficiently closely related such that a complete search directed to the claimed pharmaceutical spray suspension would produce all relevant prior art directed to methods of using the pharmaceutical spray suspension.

Thus, a favorable action on the merits of all pending claims is respectfully requested.

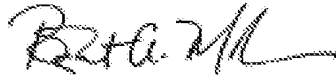
Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Robert A. Madsen, Reg. No. 58,543
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

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